

REMARKS

The Office Action of March 7, 2006 was received and carefully reviewed. The Examiner is thanked for reviewing the application. Reconsideration and withdrawal of the currently pending rejections are requested for the reasons advanced in detail below.

Claims 1-44 are pending for consideration, of which claims, 1, 9, 17, 25, 33 and 39 are independent.

In the rejection, claims 1-44 stand rejected under 35 U.S.C. §102(e) as being anticipated by Ohtani et al. (U.S. Patent No. 6,545,359 B1 – hereafter Ohtani). This sole rejection is respectfully traversed at least for the reasons provided below.

In the rejection of independent claims 1, 17, and 33, the Examiner alleged that Ohtani teaches the feature of forming a first conductive film over (on, to be in contact with) the organic insulating film in Fig. 1C, element 111. The Examiner further alleged that element 106a in Fig. 1C of Ohtani is equivalent to Applicants' claimed first conductive film. However, Ohtani teaches that element 111 is an interlayer insulation that is formed over a first conductive layer 106a, as shown in Fig. 1C. In contrast with Ohtani, Applicants' claimed invention is directed to, among other features, the step of forming a first conductive film over the organic insulating film. Hence, the positioning of the elements 106a and 111 of Ohtani are a reverse of Applicants' first conductive layer and organic insulating film.

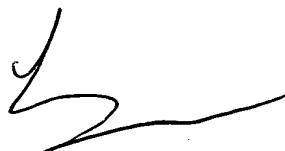
In addition, in the rejection of independent claims 9, 25, and 39, the Examiner alleged that Ohtani teaches the features of forming a nitride film so as to be in contact with (on) the organic insulating film, and of forming a first conductive film so as to be in contact with (on) the nitride film. In the rejection, the Examiner equated element 111 in Fig. 1C of Ohtani to Applicants' claimed the organic insulating film. The Examiner also equated element 102 in Fig. 1C of Ohtani to Applicants' nitride film, and element 207a in Fig. 2C of Ohtani to Applicants' first conductive film. However, Ohtani discloses a first conductive layer 207a formed over and underlying film 102 and interlayer insulating film 111 formed over the first conductive layer 207a, as shown in Figs. 1C and 2C. Hence, the interlayer insulating film 111 of Ohtani cannot be equivalent to Applicants' claimed organic insulating film as alleged by the Examiner because the interlayer insulating film 111 of Ohtani is not structurally or functionally similar to Applicants' claimed organic insulating film.

Consequently, since each and every feature of the present claims is not taught (and is

not inherent) in the teachings of Ohtani, as is required by MPEP Chapter 2131 in order to establish anticipation, the rejection of claims 1-44, under 35 U.S.C. §102(e), as anticipated by Ohtani is improper.

In view of the foregoing, it is respectfully requested that the anticipatory rejection of record be reconsidered and withdrawn by the Examiner, that claims 1-44 be allowed and that the application be passed to issue. If a conference would expedite prosecution of the instant application, the Examiner is hereby invited to telephone the undersigned to arrange such a conference.

Respectfully submitted,



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